FILED
JAN 27 1948
CHARLES ELMORE CROPLEY
CLERK

In the Supreme Court of the United States

OCTOBER TERM, 1947

No. 468

OSTBY AND BARTON COMPANY and
AMERICAN ASSOCIATES, INC.,

Petitioners,

v.

THOGER GRONBERG JUNGERSEN,

Respondent.

MOTION TO EXTEND TIME ALLOWED FOR FILING PETITION FOR REHEARING

ALEXANDER C. NEAVE,
Counsel for Petitioners.

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Now come the petitioners in the above entitled matter and say that on January 12, 1948, their petition for writ of certiorari to the United States Circuit Court of Appeals for the Third Circuit was denied by this honorable Court; that there is pending in the United States Circuit Court of Appeals for the Second Circuit Case No. 180, *Thoger Gronberg Jungersen* v. *Baden, et al.,* involving a record which generally is the equivalent of that here; that this case is to be argued in said Circuit Court of Appeals on February 9th or 10th, 1948; and that a decision in said case in the Circuit Court of Appeals for the Second Circuit affirming the decision of the District Court therein (see 69 F. Supp. 922) would be in conflict with the decision of the United States Circuit Court of Appeals for the Third Circuit in the instant case.

WHEREFORE, your petitioners pray that the time for filing a petition for rehearing be extended until the expiration of the present term of the Court.

Respectfully submitted,

ALEXANDER C. NEAVE,
Counsel for Petitioners.

New York, N. Y., January 26, 1948.

Certificate of Counsel

I, ALEXANDER C. NEAVE, counsel for the above named petitioners, do hereby certify that the foregoing motion to extend time allowed for filing petition for rehearing of this cause is presented in good faith and not for delay.

ALEXANDER C. NEAVE,
Counsel for Petitioners.

ACKNOWLEDGEMENT OF SERVICE

Service of 3 copies acknowledged and all further notice waived.

DRURY W. COOPER,
Counsel for Respondent.